

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

OLAYEMI OLABADE,

Plaintiff,

v.

UNITED STATES CITIZENSHIP  
AND IMMIGRATION SERVICES, et al.,

Defendants.

No. 4:25-CV-00989-RHH

**MEMORANDUM AND ORDER**

Self-represented Plaintiff Olayemi Olabade brings this civil action for alleged violations of his rights. This matter is before the Court upon the Application of Plaintiff for leave to proceed *in forma pauperis*, or without prepayment of the required filing fees and costs. [ECF No. 2]. Having considered the Application and the financial information provided, the Application will be denied, and the Court will direct Plaintiff to pay the full \$405 filing fee.

The Court may authorize the commencement or prosecution of a civil action without prepayment of fees if the plaintiff demonstrates he or she “is unable to pay such fees or give security therefor.” 28 U.S.C. § 1915(a)(1). Proceeding without prepayment of fees and costs, or *in forma pauperis*, is a matter of privilege, not of right. *Williams v. McKenzie*, 834 F.2d 152, 154 (8th Cir. 1987). To enjoy the statute’s benefits, a litigant need not show that he is “absolutely destitute,” but he must demonstrate that, because of his poverty, he cannot pay for the litigation costs and still be able to provide for the necessities of life. *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948); *see also Lee v. McDonald’s Corp.*, 231 F.3d 456, 459 (8th Cir. 2000).

In this case, it appears that Plaintiff does not qualify for *in forma pauperis* status based on the financial information provided on the Application. Although it appears that Plaintiff may not

be currently employed, the Application indicates that Plaintiff currently has \$7,054.64 in available money. *Id.* at 2. Finally, Plaintiff's has not listed significant monthly expenses on his Application. *Id.*

Based on Plaintiff's available cash, it appears that Plaintiff can pay for the current litigation costs for this matter and still be able to provide for the necessities of life. *See Adkins*, 335 U.S. at 339. As such, the Court will deny Plaintiff's Application to Proceed without Prepayment. For this case to proceed, Plaintiff must pay the full \$405 filing fee.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Application to Proceed in District Court without Prepaying Fees or Costs [ECF No. 2] is **DENIED without prejudice**.

**IT IS FURTHER ORDERED** that Plaintiff must pay the \$405 filing fee within **fourteen (14) days** of the date of this Order.

**Plaintiff's failure to timely comply with this Order could result in the dismissal of this action, without prejudice and without further notice.**

Dated this 16th day of July, 2025.

  
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RODNEY H. HOLMES  
UNITED STATES MAGISTRATE JUDGE